

AGRICULTURE AND LAND STEWARDSHIP DEPARTMENT[21]

Adopted and Filed

Pursuant to the authority of Iowa Code section 199.11(1), the Department of Agriculture and Land Stewardship hereby amends Chapter 40, "Agricultural Seeds," Iowa Administrative Code.

This amendment clarifies that qualifying seed libraries are subject to permitting but not to labeling, testing and fees.

Notice of Intended Action was published in the Iowa Administrative Bulletin as **ARC 1980C** on April 29, 2015. No comments were received from the public. The adopted amendment is identical to that published under Notice.

After analysis and review of this rule making, no adverse impact on jobs has been found.

This amendment is intended to implement Iowa Code section 199.15.

This amendment will become effective July 29, 2015.

The following amendment is adopted.

Adopt the following **new** rule 21—40.16(199):

21—40.16(199) Seed libraries. A qualified seed library may be a library district formed under Iowa Code section 336.2, a library board functioning under Iowa Code section 392.5, or an Iowa food bank or Iowa emergency feeding organization recognized by the Iowa department of revenue. A qualified seed library is subject to permitting by the department, but is not subject to labeling, testing and fees for giving, distributing or exchanging agricultural seed as long as all of the following apply:

1. The exchanges or distributions are made at a single location and no money is exchanged;
2. All seed is intended for planting in Iowa;
3. Individuals receive two pounds or less of seed annually;
4. The seed has not been treated with pesticide;
5. Patented, protected or propriety varieties of seed are used or included in the qualified seed library only with the permission of the patent or certificate holder, developer or owner of the intellectual property associated with the variety;
6. The certified seed status is not misused or misrepresented; and
7. The seed has not been placed under a stop sale order by the department or any other regulatory agency.

[Filed 6/3/15, effective 7/29/15]

[Published 6/24/15]

EDITOR'S NOTE: For replacement pages for IAC, see IAC Supplement 6/24/15.